

1 UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF TENNESSEE
3 NASHVILLE DIVISION

4 KAYLA GORE; JAIME COMBS;
5 L.G.; and K.N.,

6 Plaintiffs,

7 vs.

Case No. 3:19-0328

8 WILLIAM BYRON LEE, in his
9 official capacity as
10 Governor of the State of
11 Tennessee; and LISA
12 PIERCEY, in her official
13 capacity as Commissioner
14 of the Tennessee
15 Department of Health,

16 Defendants.

17 Videoconference Deposition of:

18 JAIME COMBS

19 Taken on behalf of Defendants
20 April 24, 2020

21
22
23 Elite Reporting Services
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1 cosmetology school.

2 BY MR. LIM:

3 Q. When was that?

4 A. Approximately 1995.

5 Q. You just told us that in 2013 you submitted
6 your birth certificate to obtain your passport,
7 right?

8 MS. BUCHERT: Objection.

9 THE WITNESS: That is correct.

10 BY MR. LIM:

11 Q. Okay. So let me rephrase so we're on the
12 same page. I'm trying to determine just how often
13 you use your birth certificate as a form of
14 identification.

15 After getting your passport for which you
16 had to submit a copy of that, has there been any
17 other instance in which you needed to produce a copy
18 of your birth certificate?

19 MS. BUCHERT: Objection.

20 THE WITNESS: I know of instances before
21 I received my passport. I am unaware of instances
22 after I received my passport.

23 BY MR. LIM:

24 Q. So in the past seven years, you haven't used
25 your birth certificate as a form of identification?

1 MS. BUCHERT: Objection.

2 THE WITNESS: I do not believe so.

3 MR. LIM: Could I take a quick break
4 here? Could we come back -- it's 1:59 right now.
5 Could we come back at 2:10, please?

6 MS. BUCHERT: Sounds good.

7 MR. LIM: Thank you.

8 (Short break.)

9 BY MR. LIM:

10 Q. Hi, Ms. Combs.

11 Can you hear me okay?

12 A. Yes.

13 Q. I have to ask you a couple of quick
14 housekeeping questions.

15 During the break, did you talk to anyone
16 about this deposition?

17 A. I did not, no.

18 Q. Did you review any documents outside of
19 those two exhibits I showed you today?

20 A. No, sir.

21 Q. Okay. Fine.

22 I want to refer your attention to Exhibit 2,
23 the declaration, page 4, Paragraph 19. Let me know
24 when you're ready, Ms. Combs.

25 MS. BUCHERT: And, Jaime, I would advise

1 you to take as much time as you need.

2 THE WITNESS: Declaration and what --
3 what page again?

4 BY MR. LIM:

5 Q. Page 4, middle of the page, Paragraph 19.
6 Do you have that?

7 A. Yes.

8 Q. Okay. So in Paragraph 19 of your
9 declaration, you say, quote, I reasonably fear that
10 possessing a birth certificate that fails to
11 accurately reflect my sex consistent with my gender
12 identity increases the chances that I will be
13 subjected to invasions of privacy, prejudice,
14 discrimination, distress, harassment, or violence.

15 I want to ask you to explain to us why you
16 feel that way.

17 MS. BUCHERT: Objection.

18 THE WITNESS: I do feel that way because
19 it is painful and difficult for me to have
20 documentation that is not reflective of me. Because
21 of my past history and experiences with birth
22 certificate -- and the birth certificate being
23 inaccurate to who I am, it has been a source that
24 could be used against me. I have seen -- I feel
25 like because of this paper, in the past, I've had to

1 tell my story in situations I did not want to. An
2 example would be when I was in a bank and they
3 required this documentation that was no longer
4 congruent with who I was or other information that I
5 had, and I felt it necessary to explain why it
6 didn't match.

7 So at that particular time that -- the
8 banker was a client of mine that was not aware of
9 this information, so it was very difficult to -- to
10 tell and explain because I didn't know what her
11 response would be. Also being in a small town, I
12 had to take a chance on do I see a total stranger
13 and risk this information going out to everyone or,
14 you know, that time, do I tell someone that I know
15 that may be more likely to -- to be respectful and,
16 you know, protect that information. So it -- it
17 was -- information that was not accurate of me.

18 BY MR. LIM:

19 Q. I think you cut off toward the end there.
20 Could you repeat the last couple of sentences?

21 THE REPORTER: Thank you.

22 THE WITNESS: It was a little
23 dehumanizing to me to present this information to
24 someone that was inaccurate about me.

25 //

1 BY MR. LIM:

2 Q. And you mentioned your experience at the
3 bank.

4 Do you remember exactly when that was?

5 MS. BUCHERT: Objection.

6 THE WITNESS: I remember that the birth
7 certificate was a requirement for some type of
8 business transaction.

9 BY MR. LIM:

10 Q. Do you know when that was?

11 A. That was --

12 MS. BUCHERT: Objection.

13 THE WITNESS: -- approximately 2010.

14 BY MR. LIM:

15 Q. So that was before you got your passport
16 corrected, right?

17 A. This was before the passport was corrected.

18 Q. Okay. Has there been any other time besides
19 the examples that you mentioned so far that you've
20 had to present your birth certificate and you,
21 quote, reasonably fear that presenting that document
22 subjected you to harassment and discrimination and
23 so forth?

24 MS. BUCHERT: Objection.

25 THE WITNESS: When I started my